

## REMARKS

Claims 1-18 are pending in the application. The Examiner has rejected Claims 1-12 and 14-17 under 35 U.S.C. §102(e) as being anticipated by Ostberg et al. (U.S. Patent 6,504,830). The Examiner has rejected Claims 13 and 18 under 35 U.S.C. §103(a) as being unpatentable over Ostberg et al. in view of Nystrom et al. (U.S. Patent 6,526,091).

Regarding the rejections of independent Claims 1, 5, 9 and 14, the Examiner maintains his position that Ostberg anticipates the elements recited in the claims. Ostberg discloses a method, apparatus and system for fast base synchronization and sector identification. Each of the independent claims of the present application were amended to recite that the “correlation and detection operations of the cell search are performed in two steps and without receiving a broadcast control channel (BCCH).” In the Response to Arguments section on page 2 of the Office Action the Examiner sets forth two statements that require further consideration. First, the Examiner states, “the purpose of the invention of Ostberg is to perform a cell search without receiving the BCCH.” Second, the Examiner states, “correlation and detection operations are performed in two separate steps” by the Ostberg device.

Regarding the first statement, the independent claims of the present application recite that the correlation and detection operations are performed...without receiving a BCCH. In actuality, the invention of Ostberg does receive the BCCH, but Ostberg states that its apparatus does not need to decode the BCCH. This distinction is thin at best. For example, in 3GPP system, pilot symbols broadcast over the broadcast channel are coded with a channelization code ‘111...11’(all ones) from a base station to a mobile station. Thus mobile station just receives the pilot symbols without ‘decoding’, because the mobile station already knows the channelization code is all ones ‘111...11’.

Regarding the second statement, the independent claims of the present application recite that the correlation and detection operations of the cell search are performed in two steps. The Examiner relies on Fig. 4 in support for his position, namely that element 440 and element 420 of Fig. 4 disclose the correlation and detection of the independent claims of the present application. As clearly shown in the table below, Ostberg is a 3-step correlation and detection cell searching process, that is, steps 410, 420 and 430. The claims of the present application require only a 2-step cell searching.

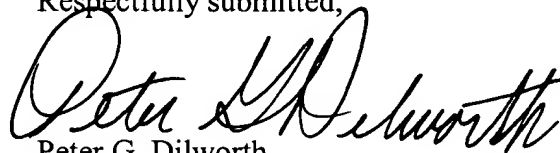
Fig 4 of Ostberg	Ostberg	Corresponding Present invention
410	primary synchronization code through Perch1	First synchronization code through primary synch channel
420	secondary synchronization code through Perch2	Base station group specific code & Base station specific code through a secondary synch channel
430	Pilot symbols through BCCH	
440	Correlate and detect	

Based on at least the foregoing remarks and distinctions, withdrawal of the rejections of Claims 1, 5, 9 and 14 is respectfully requested.

Independent Claims 1, 5, 9 and 14 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-4, 6-8, 10-13 and 15-18, these are likewise believed to be allowable by virtue of their dependence on their respective independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-4, 6-8, 10-13 and 15-18 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-18, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



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